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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE APR 08 1999

Applicants: K. MATSUBARA, et al.

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

Serial No.: 09/132,085 ✓

Filed: August 10, 1998

For: DATA PROCESSING APPARATUS HAVING A  
FLASH MEMORY BUILT-IN WHICH IS  
REWRITABLE BY USE OF EXTERNAL DEVICE

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APR 01 1999

Group: 2818

TECHNOLOGY CENTER 2800

Examiner: V. Le

TERMINAL DISCLAIMER

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

March 29, 1999

Sir:

Your petitioners Hitachi, Ltd., and Hitachi ULSI Engineering Corp., respectively located at 6 Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 101, Japan and 20-1, Jousuihoncho 5-chome, Kodaira-shi, Tokyo, Japan, represent through the undersigned attorney of record, that they are jointly the owners of the entire interest of U.S. Application Serial No. 09/132,088, filed August 10, 1998, for Data Processing Apparatus Having A Flash Memory Built-in Which is Rewritable By Use of External Device, and (1) hereby disclaim the terminal part of the statutory term of any patent granted on the instant application which would extend beyond March 16, 2013, which is the expiration date of the full statutory term, defined in 35 U.S.C. §154 to 156 and 173, of U.S. Patent No. 5,581,503, issued December 3, 1996, and of U.S. Patent No. 5,687,345, issued November 11, 1997, but is

before the expiration date of prior U.S. Patent No. 5,768,194, issued June 16, 1998, and (2) hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior U.S. Patent Nos. 5,581,503, 5,687,345 and 5,768,194 are commonly owned.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.


In making the above disclaimer, the petitioners (owners), however, do not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 U.S.C. §154 to 156 and 173, as noted above, in the event that any of prior U.S. Patent Nos. 5,581,503, 5,687,345 and 5,768,194: expires (expire) for failure to pay a maintenance fee; is (are) held unenforceable; is (are) found invalid; is (are) statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321; has (have) all claims cancelled by a reexamination certificate; is (are) reissued; or is (are) otherwise terminated prior to the expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be

true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Antonelli, Terry, Stout & Kraus, LLP

Date: March 29, 1999

  
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Alan E. Schiavelli  
Registration No. 32,087